



NEWS RELEASE

Arizona House of Representatives

Representative Maria Syms (R-28)

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FOR IMMEDIATE RELEASE

Representative Maria Syms Introduces Legislation to Prevent ADA Lawsuit Abuse

STATE CAPITOL, PHOENIX – Representative Maria Syms (R-28) today introduced legislation ([HB 2504](#)) to prevent “drive-by” lawsuits filed under the Arizonans with Disabilities Act (ADA).

In recent years, unscrupulous attorneys have exploited the ADA by filing “drive-by” lawsuits intended to extort money from small businesses rather than encouraging these businesses to become ADA-compliant.

“This bill discourages the thousands of ‘drive-by’ lawsuits aimed primarily at attorneys’ fees, while preserving the civil rights of those truly harmed by ADA violations,” said Representative Syms. **“It’s a win for both the business community and the disability community.”**

Specifically, HB 2504 would:

- Stipulate that monetary damages shall only be awarded to aggrieved persons for reasonable out-of-pocket expenses, medical bills, and pain and suffering.
- Empowers courts to assess sanctions against plaintiffs and/or their attorneys if it is determined that a lawsuit was filed with the primary purpose of obtaining payment from defendants.
- Allows the Attorney General to receive those awards for the purpose of educating businesses and the disability community about their rights under the ADA, as well as awarding attorneys’ fees to those who filed meritorious complaints with the Attorney General and avoided litigation.

Among the groups supportive of HB 2504 are the Arizona Center for Disability Law (ACDL) and the National Federation of Independent Businesses (NFIB).

“ACDL is grateful for the opportunity to collaborate with Representative Syms and NFIB in drafting a bill that retains the rights of people with disabilities to have access to the courts and all available remedies afforded by the ADA,” said Sarah E. Kader, staff attorney for ACDL.

“Rep. Maria Syms provided much-needed focus during the stakeholders process and was instrumental to bringing the sides together to support this legislation,” said Farrell Quinlan, Arizona state director of NFIB. Quinlan notes that HB 2504 will help “make Arizona one of the least-litigious and highest-compliance states in the nation on ADA issues.”

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